

10/536454

U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

B/O Form PTO-1390		Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371		Attorney's Docket Number KLOF3003/FJD	
				U.S. Application Number (if known) 10/536,454	
International Application Number		International Filing Date		Priority Date Claimed	
PCT/EP2003/013230		25/Nov/2003		25/Nov/2002	
Title of Invention Method for determining the state of a field measuring instrument for process automation and process instrumentation, and field measuring instrument for carrying out the method					
Applicant(s) for DO/EO/US Peter Klofer and Herbert Schroth					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:					
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 USC 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 USC 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> The U.S. has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed 35 USC 371(c)(2). a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 USC 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 USC 371(c)(4)). (<input checked="" type="checkbox"/> Executed <input type="checkbox"/> Unexecuted) 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)). Items 11 to 16 below concern other document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> Priority is claimed for German application no. 102 55 288.6 with a filing date of 26 Nov. 2002. 20. <input checked="" type="checkbox"/> Other items or information: a copy of Notification of Missing Requirements					

Application Number (if Known) 10/536,454		International Application Number PCT/EP2003/013230		Attorney's Docket Number KLOF3003/FJD	
				Calculations	PTO USE ONLY
21. The following fees are submitted:					
☑ a) Basic national fee \$300.00					
☑ b) Examination fee \$200.00					
☑ c) Search Fee \$500.00					
TOTAL OF ABOVE CALCULATIONS = \$1,000.00					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fractions thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fractions thereof (round up to a whole number)	RATE		
- 100 =	/50=		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER	NUMBER EXTRA	RATE		
Total Claims	55 -20 =	35	x \$50.00	\$ 1,750.00	
Independent Claims	5 -3 =	2	x \$200.00	\$ 400.00	
Multiple Dependent Claims (if applicable)			+ \$360.00		
TOTAL OF ABOVE CALCULATIONS				\$ 2,280.00	
<input type="checkbox"/> Reduction by ½ for filing by small entity, if applicable. Small Entity Status is asserted pursuant to 37 CFR 1.27 for this application.					
SUBTOTAL					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 130.00	
TOTAL NATIONAL FEE				\$ 2,410.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.					
TOTAL FEES ENCLOSED				\$ 2,410.00	
				Refunded:	
				Charged:	

a. ☑ A check in the amount of \$ 2410 to cover the fees is enclosed.

b. ☐ Please charge my Deposit Account Number 02-0200 in the amount of \$_____ to

Adjustment date: 02/22/2006 WALVARAD 00000002 10536454

11/21/2005 LLANDERA 00000002 10536454

03 FC:1614
c. ☑ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is enclosed.

02/22/2006 WALVARAD 00000002 10536454

Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Repln. Ref: 02/22/2006 WALVARAD 00131003364

02/22/2006 Name/Number: 10536454 Customer Number

FC: 9204 \$200.00 CR Phone: (703) 683-0500

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FC: 9204 \$200.00 CR

Respectfully submitted,



Felix J. D'Ambrosio
Attorney for Applicant

Registration Number: 25,721



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/536,454	Peter Klofer	KLOF3003/FJD

23364
BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA, VA 22314



INTERNATIONAL APPLICATION NO.	
PCT/EP03/13230	
I.A. FILING DATE	PRIORITY DATE
11/25/2003	11/26/2002

CONFIRMATION NO. 6562

371 FORMALITIES LETTER



OC000000017025694

Date Mailed: 09/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/25/2005
- Copy of the International Search Report filed on 05/25/2005
- Request for Immediate Examination filed on 05/25/2005
- U.S. Basic National Fees filed on 05/25/2005
- Priority Documents filed on 05/25/2005

KLOF3003
Date 09/16/2005 Atty FJD
Action Due Response to missing requirements
Deadline 11/16/2005
Final Deadline 04/16/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$260 for a Large Entity:

- \$130 Surcharge.
- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,454	PCT/EP03/13230	KLOF3003/FJD